

ORIGINAL

Decision No. 51200

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 A. D. PAXTON and J. C. PETERS, a co-)
 partnership doing business as DeLAIR)
 TRUCK CO., for authority to charge)
 less than minimum rates under Sections)
 10 and 11 of the City Carriers' Act)
 and the Highway Carriers' Act, re-)
 spectively, (now Sections 4015 and)
 3666 respectively of the Public)
 Utilities Code), for the transportation)
 of iron and steel articles and other)
 commodities for Bethlehem Pacific)
 Coast Steel Corporation and)
 Bethlehem Supply Company.)

Application No. 29891
(6th Supplemental)

SIXTH SUPPLEMENTAL OPINION AND ORDER

Applicants hold city and highway carrier permits. They transport iron and steel articles and other commodities for the Bethlehem Pacific Coast Steel Corporation and Bethlehem Supply Company in an area within a radius of 25 miles of First and Main Streets, Los Angeles. Prior orders in this proceeding have authorized them to observe rates lower than the minimum rates otherwise applicable to this transportation. The authority is scheduled to expire March 15, 1955. Permission is sought to continue to deviate from the minimum rates for a further one-year period.

Applicants' operations have been conducted on the basis of rates one-half cent per 100 pounds less than the minimum rates otherwise applicable. The supplemental application states that, except for increased costs, the conditions surrounding the transportation in question which justified deviation from the minimum rates generally still obtain. The increased costs, they assert, have been offset by adjustments in their rates corresponding with increases in the minimum rates, by higher volume of traffic and by greater operating

efficiency. Applicants point out that revised minimum rates became effective August 1, 1954, and ask that reference to the minimum rates be changed accordingly. They declare that the sought rates may reasonably be expected to be profitable during the ensuing year. However, applicants' allegations are not fully persuasive that the sought modification and extension of authority should be granted for the full period sought without further investigation. Meanwhile, the authority on the proposed modified basis will be extended for a ninety-day period. To prevent a lapse of the authority, the order will be made effective March 15, 1955.

Therefore, good cause appearing,

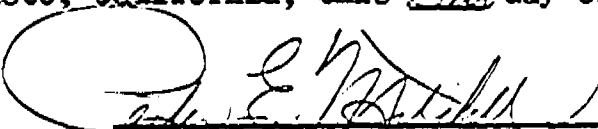
IT IS HEREBY ORDERED:


1. That the first ordering paragraph of Decision No. 42551 of February 23, 1949, as amended, in this proceeding, be and it is hereby further amended by substituting for the phrase "minimum rates in effect September 10, 1953," the phrase "minimum rates in effect August 1, 1954."

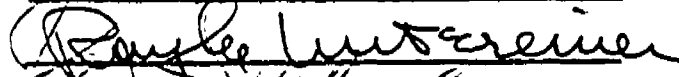
2. That the expiration date of the authority granted by Decision No. 42551 of February 23, 1949, as so further amended, in this proceeding, be and it is hereby extended to June 13, 1955, unless sooner changed or further extended by order of the Commission.

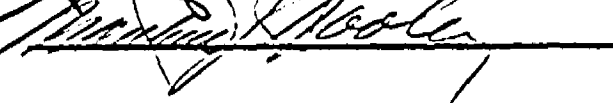
This order shall become effective March 15, 1955.

Dated at San Francisco, California, this 15th day of March, 1955.



President






Commissioners